

Jim Keim (CY)

From: James Kennedy [jameskennedy@ksglaw.ky]
Sent: Friday, August 23, 2019 12:02 PM
To: Richard Parry
Subject: RE: RE: Management of Strata Plan No. 44 - Request for Documents

Rich,

I hope you are well. Further to your letter of 24 January I understand there has been progress between our clients but there still remains a request by our client with respect to the financials.




In line with the suggestion at paragraph 3 of your letter our client's representative Mr. Anthony Johnson will be in contract with Mr. Baulk next week.

Regards,

James Kennedy
Partner



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From: Richard Parry <rparry@solomonharris.com>
Sent: Thursday, January 24, 2019 5:15 PM
To: James Kennedy <jameskennedy@ksglaw.ky>
Subject: RE: RE: Management of Strata Plan No. 44 - Request for Documents

Dear James,

Please find attached our letter to you of today's date.

We look forward to hearing from you.

Kind regards,

Richard

Richard Parry
Attorney
Solomon Harris part of Bedell Cristin

Writer's Direct Email:
rparry@solomonharris.com

24 January 2019

Attention: James Kennedy

KSG Attorneys-At-Law
4th Floor, Harbour Centre
42 North Church St.
P.O. Box 2255
Grand Cayman KY1-1107
Cayman Islands

Sent by: Email only: jameskennedy@ksglaw.ky

Dear Sirs,

Our Client: Proprietors of Strata Plan No. 44 ("the Strata")
Your Client: Global Marketing LLC
Matter: Management of Strata – Request for Documents

We refer to your letter of 20 December 2018 and email of yesterday's date.

We are encouraged to hear that your client and Mr. Hall, acting on behalf of the executive committee of the Strata (the "ExCo"), are communicating on a constructive basis to address the various items of concern to your client.

We agree that it is sensible for a representative of your client and of BCQS to discuss the scope of the requested financial records in advance of the inspection. In this regard we would encourage your client's representative to contact Michael Bauk of BCQS on mbb@bcqs.com or 345 949 9300 to discuss and make the necessary arrangements.

In our letter of 12 October 2018, we advised that our client would not be providing your client with copies of the minutes from each and every ExCo meeting over the last four years. That position was based on the fact that no specific allegations of mis-management or failure to discharge its duties had been levelled against the ExCo. Our client therefore felt that the request, which would involve a significant amount of time and energy, was not reasonable and outside the ExCo's duty of care that it owes to the proprietors of the Strata.

By contrast, the reason our client was prepared to take a different approach with the financial statements and bank statements was that these can be easily compiled using computer software and whilst the provision of bank statements is also outside the scope of our client's obligations, it was able to accommodate the requested inspection with relative ease, with your client agreeing to cover the reasonable costs incurred in having the documents collated and inspected.

In our letter of 12 October 2018, we invited your client to provide details of any particular concerns that it had regarding the ExCo's management of the Strata, so that our client could consider whether there are any specific minutes which may be provided to allay your clients concerns.

We did not receive a response from you in this regard, but your client wrote to the proprietors of the Strata on 17 November 2018 outlining its areas of concern, namely:

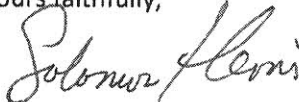
1. **Lack of Transparency** – it was stated that modern ExCos have websites where proprietors can view strata-related documents / information and it was proposed similar measures be adopted by the ExCo; and
2. **Rules of Occupancy** – an allegation that the Ex-Co failed to make objective decisions and is influenced by personal interest in accommodating short term rental guests.

The Ex-Co provided a response to your client and the other proprietors of the Strata in a letter dated 24 November 2018, in which it addressed the points raised by your client. Presumably these issues could have been discussed and motions made by your client at the recent AGM, so that all proprietors could vote accordingly on your client's concerns and proposals, but we are informed that no such discussions took place.

Notwithstanding the above, we note that your client wishes to proceed with its request for ExCo minutes. So that we can take instructions, please confirm that your client is requesting the disclosure of minutes relating to the issues identified in its letter of 17 November 2018 from the period 1 January 2015 to date?

We look forward to hearing from you.

Yours faithfully,



SOLOMON HARRIS